

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

In re:

IN RE: JEAN A. DEGUTIS,
Debtor.

CHAPTER 13
CASE NO. 16-11692-FJB

**ASSENTED TO MOTION TO CONTINUE HEARING ON WEBSTER
BANK, N.A.'S MOTION TO DISMISS**

Webster Bank, N.A. (the “Bank”) and Jean A. DeGutis (the “Debtor”), through their undersigned counsel, jointly move this Court for an Order continuing the Motion to Dismiss Hearing scheduled for September 29, 2016. As grounds for this Motion, the Bank and Debtor (the “Parties”) state as follows:

1. On September 8, 2016, the Court scheduled a non-evidentiary hearing for September 29, 2016 to consider the Bank’s Motion to Dismiss.
2. On September 8, 2016, the Court held a hearing on the Bank’s Objection to the Debtor’s Chapter 13 Plan (“Objection Hearing”). At the Objection Hearing, the Court directed the Debtor to file an Amended Plan and Motion to Approve an Amended Plan on or before October 10, 2016 (the “Amended Plan”).
3. On September 19, 2016, the Bank’s counsel conferred via e-mail with the Debtor’s counsel regarding the Debtor’s assent to a continuance of the Motion to Dismiss Hearing in light of the Debtor’s need to file an Amended Plan and the Bank’s request for further documentation from the Debtor regarding: (1) payment of the Debtor’s quarterly real estate taxes; (2) the Debtor’s filed income tax returns; (3) documentation evidencing the annuity/insurance policy

naming the Debtor as a beneficiary; and (4) records, spreadsheets, ledgers, or the like concerning the breakdown of income from the Debtor's operation of the equestrian farm.

4. The Debtor has not yet filed an Amended Plan and is in the process of obtaining the information requested by the Bank.

5. With the assent of the Debtor, the Bank seeks a continuance of the Motion to Dismiss Hearing until October 27, 2016 or the next available date thereafter that is convenient for the Court.

WHEREFORE, the Parties respectfully request that the Court enter an Order continuing the Motion to Dismiss Hearing until Thursday, October 27, 2016 or a date thereafter that is convenient for the Court.

Respectfully submitted,

WEBSTER BANK, N.A.

By Its Attorneys,

/s/ Anthony R. Leone _____

Thomas S. Vangel, BBO #552386
Anthony R. Leone, BBO #681760
Murtha Cullina LLP
99 High Street
Boston, Massachusetts 02110-2320
Telephone: 617.457.4000
Facsimile: 617.482.3868
tvangel@murthalaw.com
aleone@murthalaw.com

Assented to:

JEAN A. DEGUTIS

By her Attorney,

/s/ Honoria DaSilva-Kilgore _____

Honoria DaSilva-Kilgore, BBO #564202
Honoria DaSilva-Kilgore, P.C.
P.O. Box 277
Raynham, MA 02767
(508) 822-3200
Fax : (508) 822-328

DATED: September 21, 2016

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
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CERTIFICATE OF SERVICE

I, Anthony R. Leone, hereby certify that on the 21st day of September, 2016, a copy of ***Assented To Motion to Continue Hearing on Webster Bank, N.A.'s Motion to Dismiss*** was served through the Court's electronic filing system on all parties registered to receive electronic notice and the following parties by first class mail listed on the attached Service List:

/s/ Anthony R. Leone

Anthony R. Leone, Esq.
BBO #681760
Murtha Cullina LLP
99 High Street
Boston, MA 02110
(617) 457-4117 Telephone
(617) 482-3868 Facsimile
aleone@murthalaw.com

US Trustee's Office*
JW McCormack Post Office & Cthouse
5 Post Office Square, Ste. 1150
Boston, MA 02109

Jean A. DeGutis
44 Warren Street
Plainville, MA 02762-1806

Allied Account Services
422 Bedford Avenue
Bellmore, NY 11710-3564

American Express
P.O. Box 360001
Fort Lauderdale, FL 33336-0001

American Express Bank FSB
c/o Becket and Lee LLP
P.O. Box 3001
Malvern, PA 19355-0701

Bank of America
P.O. Box 25118
Tampa, FL 33622-5118

Bank of America, N.A.
P.O. Box 15025
Wilmington, DE 19886-5025

Benjamin Michael & Associates
P.O. Box 41
Coram, NY 11727-0041

Discover Bank
Discover Products, Inc.
P.O. Box 3025
New Albany, OH 43054-3025

Donellon Orcutt Patch & Stallard PC
96 Broadway
Taunton, MA 02780-2533

FMA Alliance, Ltd.
P.O. Box 2409
Houston, TX 7752-2409

HarborOne Credit Union
P.O. Box 4139
Woburn, MA 01888-4139

Internal Revenue Service
Centralized Insolvency Operations
P.O. Box 7346
Philadelphia, PA 19101-7346

Law Office of Howard Lee Schiff PC
P.O. Box 280245
East Hartford, CT 06128-0245

Massachusetts Dept. of Revenue
P.O. Box 7010
Boston, MA 02204-7010

Massachusetts Dept. of Revenue
Bankruptcy Unit
P.O. 9564
Boston, MA 02114-9564

National Grid
300 Erie Blvd. West
Syracuse, NY 13202-4250

National Grid
P.O. Box 11737
Newark, NJ 07101-4737

Santoro Oil Family of Companies
P.O. Box 9063
Providence, RI 02940-9063

Southwest Credit Systems, LP
4120 International Pkwy, Ste. 1100
Carrollton, TX 75007-1958

Sunrise Credit Services
P.O. Box 9100
Farmington, NY 11735-9100

Town of Plainville
P.O. Box 1795
Plainville, MA 02762-0795

Verizon Wireless
P.O. Box 15064
Albany, NY 12212-5064

Webster Bank, N.A.
137 Bank Street
Waterbury, CT 06702-2205

Webster Bank
P.O. Box 1809
Hartford, CT 06144-1809

Webster Bank, N.A.
609 West Johnson Avenue
Cheshire, CT 06410-4502

Carolyn Bankowski
Chapter 13 Trustee Boston
P.O. Box 8250
Boston, MA 02114-0950

Honoria DaSilva-Kilgore
2 Richard Street
P.O. Box 277
Raynham, MA 02767-0500

****served by electronic transmission***